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Attorney for Defendant

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
(HONORABLE WILLIAM Q. HAYES)

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PEDRO CRUZ-TERCERO,

Defendant.

Criminal Case No. 07CR3021-WQH

DATE: February 4, 2008
TIME: 2:00 p.m.

NOTICE OF MOTIONS AND MOTIONS:

- 1. DISMISS INDICTMENT FOR FAILURE TO ALLEGE ESSENTIAL ELEMENTS**
- 2. SUPPRESS STATEMENTS**

TO: KAREN P. HEWITT, UNITED STATES ATTORNEY, AND CHRISTOPHER TENORIO,
ASSISTANT UNITED STATES ATTORNEY.

Please take notice that on the above date and time, or as soon thereafter as counsel may be heard, defendant PEDRO CRUZ-TERCERO, by and through his counsel, Daniel Casillas, shall bring the above-entitled motions.

MOTIONS

Mr. Cruz-Tercero, by and through his counsel, Daniel Casillas, and pursuant to the United States Constitution, the Federal Rules of Criminal Procedure, and all other applicable statutes, case law and local rules, hereby moves this Court to grant the above-entitled motions.

These motions are based upon the instant motions, notice of motions, the statement of facts, and the memorandum of points and authorities, the files and records in the above-entitled case, and

1 any and all other evidence that may come to this Court's attention prior to or at the time of the
2 hearing on these motions.

3 Dated: January 28, 2008

Respectfully submitted,

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5 s/DANIEL CASILLAS
6 DANIEL CASILLAS
7 Attorney for Defendant
8 PEDRO CRUZ-TERCERO
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